

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

v.

\* **Criminal No: RDB-13-0530**

**KENNETH ROBINSON, et al.,**

\*

\* \* \* \* \* \*\*\* \* \* \* \*

**MOTION TO SUPPRESS TANGIBLE AND DERIVATIVE EVIDENCE**

The defendant, Kenneth Robinson, by and through his attorney, Paul D. Hazlehurst, The defendant, Kenneth Robinson, through his attorney, James Wyda, Federal Public Defender for the District of Maryland, and Paul D. Hazlehurst, Assistant Federal Public Defender, hereby moves this Honorable Court, pursuant to Federal Rule of Criminal Procedure 12(b)(3), to suppress evidence obtained in searches of the following locations or objects and any other locations or objects not set forth by the government in discovery:

- 6101 Loch Raven Boulevard, Number 102, Baltimore, Maryland 21206
- Cellular telephones which are, or have been previously assigned the number 443 683-2746.

As grounds therefore the defendant states as follows:

1. 1. Mr. Robinson is currently charged in a two-count indictment in the above-captioned case with Conspiracy to Commit Sex Trafficking in violation of Title 18, Section 1594(c) of the United States Code and Sex Trafficking in violation of 1591(a).

2. Also charged in Count 1 of the indictment are Jeffrey Clark, Craig Judy and Cheralynn Crawford. Mr. Clark is represented by Michael D. Montemarano, Esquire. Mr. Mr. Judy is

represented by Alan R. L. Bussard, Esquire, and Ms. Crawford is represented by Harry D. McKnett, Esquire.

3. The conspiracy alleged in count one began May 12, 2013 and continued until June 17, 2013.

4. Discovery furnished by the government indicates that during the course of the alleged conspiracy, numerous searches were conducted by law enforcement agents, including, but not limited to the locations/objects set forth above.

5. Any warrantless search was not supported by probable cause or exigent circumstances or any other exception excusing the need for a warrant.

6. Where warrants were received prior to the searches, the warrants were invalid on their face in that they were overbroad and/or failed to describe with particularity the place or object to be searched or were otherwise fatally deficient.

7. The affidavits in support of the warrants contained false information and/or information in reckless disregard of the truth. Therefore a hearing in regard to this matter is required under *Franks v. Delaware*, 438 U.S. 154 (1978).

8. The affidavits in support of the search warrants contained insufficient information from which the reviewing judge could determine probable cause to search the specified locations or any nexus with the alleged criminal conduct. *United States v. Anderson*, 851 F.2d 727, 729 (4<sup>th</sup> Cir. 1990).

**WHEREFORE**, the defendant respectfully moves this Honorable Court to suppress any tangible or derivative evidence unlawfully seized from the locations/objects set forth above.

Respectfully submitted,

/s/

Paul D. Hazlehurst, Bar No: 08156  
Assistant Federal Public Defender  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

1. Fourth Amendment to the United States Constitution
2. *Franks v. Delaware*, 438 U.S. 154 (1978).
3. *Wong Sun v. United States*, 371 U.S. 471 (1963)
4. *United States v. Anderson*, 851 F.2d 727, 729 (4<sup>th</sup> Cir. 1990)

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/s/  
Paul D. Hazlehurst

**REQUEST FOR HEARING**

Pursuant to Rule 105.6 of the Local Rules of Criminal Procedure for the District of Maryland, a hearing is requested on the defendant's motion.

\_\_\_\_\_/s/  
Paul D. Hazlehurst  
Assistant Federal Defender

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6<sup>th</sup> day of January 2014, a copy of the foregoing motion was electronically delivered to Ayn B. Ducao, Assistant United States Attorney, 36 S. Charles Street, 4<sup>th</sup> Floor, Baltimore, Maryland 21201 as well as all counsel of record.

/s/  
**PAUL D. HAZLEHURST**